

**HARVARD CONSERVATION COMMISSION  
MINUTES OF MEETING  
APRIL 2, 2015  
APPROVED: AUGUST 6, 2015**

Chairman Paul Willard meeting to order at 7:01pm in the Town Hall Meeting Room under MGL Chapter 131 §40 The Wetland Protection Act and The Code of the Town of Harvard Chapter 119 the Wetland Protection Bylaw

**Members Present:** Paul Willard, Don Ritchie, Charlie Gorss, Wendy Sisson, Jim Breslauer, Jaye Waldron and Joanne Ward

**Others Present:** Liz Allard (LUB Admin), George Watkins, Gary Shepard (Ross Assoc.) and Eve Wittenberg

**Appointments to the Land Stewardship Subcommittee**

The following individuals, Joanne Ward, Jim Saalfeld and Jim Adelson, were appointed to the Land Stewardship Committee for a three year term on a motion made by Wendy Sisson and seconded by Charlie Gorss. The vote was unanimously in favor of the motion.

**Old Mill Road Land Stewardship Report**

Liz Allard informed the members of the Commission's requirement to submit a status report to the US Department of the Interior every five years for the property on Old Mill Road. Ms. Allard is seeking guidance from the Federal Lands to Parks coordinator in Boston on the requirements of the status report, which is due by December 2, 2015.

**Review & Discuss Assignment Agreement – 100 Shaker Road**

George Watkins was present to further discuss his and Faith Cross' desire to protect the vacant lot between them on Shaker Road from development. Upon further investigation into a purchase of the land and then gifting it to the Town as open space, Mr. Watkins has learned it would be better if the Town purchases the property from the current owners. Mr. Watkins and Ms. Cross would make a donation to the conservation fund in the amount of the agreed upon sale price, which the Commission would use to purchase the property.

Goals of the donors are spelled out in number 2 of the assignment. As gift of land the Commission would not need an appraisal, but the donor's would. A plot plan detailing the property and the existing easement needs to be completed. Wendy Sisson has reviewed the site and notes there is an issue with access as the driveway to the lot behind the parcel may be partly on the parcel being donated. The parcel may not have proper established access, not only to maintain, but to remove the existing structures. The thought was to have DPW dispose of the structures, but that is not likely to happen. A contractor has been contacted to get an estimate for the removal of these structures. The donors are seeking the removal of the existing white pines within two years of the assignment.

Paul Willard stated the Commission can only agree to keep the field open with proper access to the parcel. Jim Breslauer stated a decision on whether or not to accept the parcel should be put on hold until a survey is completed. Mr. Willard is happy to proceed as long as proper access is secured. Ms. Sisson agrees. Members agreed the assignment should indicate that it is subject to proper access. An alternative access from Ms. Cross' property was discussed. This access, if agreed upon, would create a permanent easement on Ms. Cross' property and would be less disruptive than creating a new access along Shaker Road. Mr. Watkins stated he would discuss this option with Ms. Cross

A few minor corrections were made to the draft assignment.

**Continuation of a Notice of Intent Hearing – Jonathan Williams, 13 Whitman Road, DEP#177-636, Harvard#0115-01.** Opened at 7:36pm

**3<sup>rd</sup> Quarter FY2015 Update on Conservation Funds**

Liz Allard had previously distributed the excel spreadsheets of the funds under the management of the Conservation Commission. All accounts are consistent with the Finance Department records. The members had no questions in regards to the accounts.

**Daman Gift of Land Update**

Liz Allard stated there is no new information from Steve Daman on this gift of land this evening.

**Approve Minutes**

Jim Breslauer made a motion to approve the minutes of March 19, 2015 as amended. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

**Fire Department Request for Input – Training Facility at the Gravel Pit on Stow Road**

Paul Willard explained he and Liz Allard had met with the Fire Chief, Rick Sicard, to discuss the proposed training facility at the gravel pit. The Fire Chief explained all live burns would take place within a shipping type container and would consist of straw and the other products allowed by the Department of Environmental Protection. There will be no pumping of water out of pond and all cars used for training will be drained of fluid prior to being brought to the site. The Fire Chief will be providing additional information in regards to national regulations for live burns for the Commission to review. The members recommended notification prior to any live burns. Final approval of the activity will take place once additional information is received and reviewed by the Commission.

**Approve Invoice**

At the previous meeting the members discussed a discrepancy with Attorney Lanza's bill in regards to the review of certain documents. After a brief discussion, the members agreed they still want to request that the bill be modified. Wendy Sisson will send the information surrounding the discrepancy to Jim Breslauer, who will further discuss the matter with the Town Administrator.

Jaye Waldron arrived at 7:50pm

**Notice of Intent Hearing – Eve Wittenberg & Cathy Corning, Prospect Hill Road, DEP#177-638, Harvard#0315-01.** Opened at 7:50pm

**Continuation of a Notice of Intent Hearing – Sean Bilodeau, 134 Old Littleton Road, DEP#177-637, Harvard#0215-01.** Opened at 8:01pm

**Adjournment**

Jim Breslauer made a motion at 8:37pm to adjourn the meeting. Charlie Gorss seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard  
Land Use Administrator/  
Conservation Agent

**Harvard Conservation Commission**  
**Continuation of a Notice of Intent Hearing Meeting Minutes**  
**Jonathan Williams, 13 Whitman Road, DEP#177-636, Harvard#0115-01**  
**April 2, 2015**

The public hearing was opened at 7:36pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act, Ch. 131 §40 and the Harvard Wetland Protection Bylaw, Chapter 119 of the Code of the Town of Harvard in the Town Hall Meeting Room

**Members Present:** Paul Willard, Don Ritchie, Charlie Gorss, Wendy Sisson, Jim Breslauer, Jaye Waldron and Joanne Ward

**Others Present:** Liz Allard (LUB Admin)

This hearing was continued from February 19, 2015 for a Notice of Intent filed on behalf of Jonathan Williams for an upgrade to the sewage disposal system for an existing four-bedroom single-family house within the 100' wetland buffer zone at 13 Whitman Road, Harvard.

Liz Allard stated she had not received a request from the applicant to continue the hearing; she believes there must have been some confusion as when the applicant was to return after town meeting and recommended the hearing be continued to the April 16, 2015 meeting.

Jim Breslauer made a motion to continue the hearing to April 16<sup>th</sup> at 7:45pm. Joanne Ward seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard  
Land Use Administrator/  
Conservation Agent

**Harvard Conservation Commission  
Notice of Intent Hearing Meeting Minutes  
Eve Wittenberg & Cathy Corning, Prospect Hill Road (Map 16 Parcel 1.2),  
DEP#177-638, Harvard#0315-01  
April 2, 2015**

The public hearing was opened at 7:50pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act, Ch. 131 §40 and the Harvard Wetland Protection Bylaw, Chapter 119 of the Code of the Town of Harvard in the Town Hall Meeting Room

**Members Present:** Paul Willard, Don Ritchie, Charlie Gorss, Wendy Sisson, Jim Breslauer, Jaye Waldron and Joanne Ward

**Others Present:** Liz Allard (LUB Admin), Gary Shepard (Ross Assoc.) and Eve Whittenberg

This hearing is for a Notice of Intent filed on behalf of Eve Wittenberg & Cathy Corning for site work associated with the construction of a single family house including land clearing and landscaping within the 100' wetland buffer zone on Prospect Hill Road (Map 16 Parcel 1.2), Harvard.

Gary Shepard, of Ross Associates, was present to represent the applicants. Eve Whittenberg was also present. Mr. Shepard stated the applicants are proposing to build a single family dwelling, barn, and pasture area for horses. In order to preserve the wetland area on the site the plan proposes the creation of a "savannah" from the edge of the 50' buffer zone out to the 100' buffer zone that would consist of a wide distribution of trees and meadow grass. This area now consists of heavy overgrowth and invasive plant species. The idea of the "savannah" zone is to prevent that overgrowth from entering the pasture. This is the only activity on the site that is with the 100' buffer zone.

Although a site walk took place, the wetland line still needs to be reviewed. At the site walk the Commission suggested granite markers be installed to demarcate the edge of allowed disturbance between the edge of the "savannah" zone and the wetland. Mr. Shepard stated he discussed the request with the applicant and offered to install iron pipes, which will fade in and look more natural, as opposed to the standard granite posts. The signage available to indicate the no disturbance zone will be attached to each post. Paul Willard stated he has no problem with the iron pipes. Wendy Sisson stated the iron pipes are a good alternative to the granite posts, as in other cases the area to be demarcated is typically lawn area. It was agreed the iron pipes would be approximately thirty feet apart along the 50' buffer zone line.

An existing concrete pad, within the 50' buffer zone, is proposed to be removed. The members were amenable to its removal. Jim Breslauer asked what the plan was for the "u" shaped foundation. Eve Whittenberg stated there is no final plan for it as of yet; they are working with a designer to come up with a plan for it. The members are okay with it remaining, they just would not want to see a large amount of fill brought into the site.

Mr. Shepard discussed the "savannah" zone in further detail; in the 50' to 100' buffer zone the area would consist of sparse trees and shrubs, and grass that could be routinely maintained. The applicants may want to plant other desirable plantings within the "savannah" zone once they determine what existing vegetation is remaining in that area. Ms. Sisson was concerned with the

area between the 50' to 75' buffer zone and its ability to filter out runoff from the up gradient of the horse pasture. Ms. Sisson would be agreeable to the areas as proposed if was only allowed to be mowed once a year after mid-August. The desire to conduct heavy mowing within the first two years to discourage invasives, such as bittersweet from reestablishing itself was discussed. Jim Breslauer asked if the applicant would be willing to leave more trees within that area. Mr. Shepard asked how many. Mr. Willard stated we could determine that at the follow-up site walk. It is the desire of the applicant to be able to remove enough vegetation to be able to see the horses and the area as well as let the grass grow.

The Commission requested a construction sequence for next meeting.

Jim Breslauer made a motion to continue the hearing to April 16<sup>th</sup> 8:00pm. Wendy Sisson seconded the motion. The vote was unanimously in favor of the motion.

An additional site walk was scheduled for April 13 at 4:00pm.

Respectfully submitted,

Liz Allard  
Land Use Administrator/  
Conservation Agent

**Harvard Conservation Commission**  
**Continuation of a Notice of Intent Hearing Meeting Minutes**  
**Sean Bilodeau, 134 Old Littleton Road, DEP#177-637, Harvard#0215-01**  
**April 2, 2015**

The public hearing was opened at 8:35pm by Chairman Paul Willard under the Massachusetts Wetland Protection Act, Ch. 131 §40 and the Harvard Wetland Protection Bylaw, Chapter 119 of the Code of the Town of Harvard in the Town Hall Meeting Room

**Members Present:** Paul Willard, Don Ritchie, Charlie Gorss, Wendy Sisson, Jim Breslauer, Jaye Waldron and Joanne Ward

**Others Present:** Liz Allard (LUB Admin) and Gary Shepard (Ross Assoc.)

This hearing was continued from March 19, 2015 for a Notice of Intent filed on behalf of Sean Bilodeau for the installation of a replacement septic system for a single family home within the 100' wetland buffer zone at 134 Old Littleton Road, Harvard.

Gary Shepard, of Ross Associates, requested a continuance in order to revise the plan as a result of the recent site walk. Jim Breslauer made a motion to continue the hearing to April 16<sup>th</sup> at 8:30pm. Don Ritchie seconded the motion. The vote was unanimously in favor of the motion.

Respectfully submitted,

Liz Allard  
Land Use Administrator/  
Conservation Agent

## **DOCUMENTS & OTHER EXHIBITS**

### **Review & Discuss Assignment Agreement – 100 Shaker Road**

- Assignment and Assumptions of Purchase of Sale Agreement, undated

### **Notice of Intent Hearing – Eve Wittenberg & Cathy Corning, Prospect Hill Road, DEP#177-638, Harvard#0315-01**

- Site Plan of Land in Harvard, Mass., prepared for Cathy Corning, prepared by David E. Ross Associates, Inc., Job No. 30368, Plan No. L-12537, dated 3/4/15